

**MEDIA RELEASE**

**Attention: News Director  
For Immediate Release  
December 1, 2006**



**U.S. DEPARTMENT OF JUSTICE  
DAVID L. HUBER  
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Western District of Kentucky**

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**CONVICTED FELON ON PROBATION ARRESTED ON  
FEDERAL GUN CHARGES**

***– Possessed a stolen 9 mm pistol***

David L. Huber, United States Attorney for the Western District of Kentucky, announced today the arrest of and the filing of a complaint against **TOBIAS JONES**, age 22, of 1245 South Seventh Street, Louisville, Kentucky, for violating federal gun laws. Jones was previously convicted of Auto Theft, Resisting Law Enforcement, and Possession of Cocaine.

According to the affidavit of a Special Agent of the Bureau of Alcohol, Tobacco, Firearms & Explosives (“ATF”), federal agents became aware of **Jones’** unlawful activities as a result of a call from Louisville Metro Police Department officers. On November 29, 2006, LMPD officers conducted a traffic stop in Louisville, Kentucky, on a vehicle that was occupied by three individuals, including **Jones**. As detectives approached the vehicle, they smelled a strong odor of burnt marijuana coming from the vehicle. As they approached the vehicle, **Jones**, who was sitting in the back seat, attempted to exit the vehicle.

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Detectives detained **Jones** and based on the strong odor of marijuana coming from the vehicle as well as his attempt to exit, they conducted a pat down of **Jones'** person. Detectives recovered a loaded (9 rounds) Smith and Wesson Model 915 9mm pistol bearing serial number VAK1773, in **Jones'** front waistband of his pants. Detectives also recovered a Rossi Model 685 .38 special revolver bearing serial number D870676 from the front pocket of **Jones'** sweatshirt as well as a bag of suspected marijuana in his right front pants pocket.

After **Jones** was placed under arrest, a query was done on both firearms through the National Crime Information Center ("NCIC"). This query showed the Smith and Wesson Model 915 bearing serial number VAK1773, to be a stolen firearm. A report from the Floyd County (Indiana) Police Department showed the firearm was reported stolen on June 15, 2006, out of New Albany, Indiana.

After being advised of his constitutional rights, **Jones** told the law enforcement officials that he remembered being convicted of a felony offense in 2004. **Jones** advised that he had served time in prison for the offense and he was still on probation. **Jones** stated that he knew he was prohibited from possessing firearms, but that he had recently been shot and bought the guns for his protection. **Jones** further admitted that he had bought both guns for \$150.00. He acknowledged that the guns were probably stolen or had been used in a crime because they were so cheap.

According to a specialist regarding Interstate Nexus, the Smith and Wesson Model 915 9mm pistol bearing serial number VAK1773 and the Rossi Model 685 .38 special revolver bearing serial number D870676 were not manufactured in the Commonwealth of Kentucky. Therefore, at some point prior to **Jones'** possession of the firearms, they had traveled in or affected commerce.

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Court documents from Clark Superior Court No. 2 of Clark County, Indiana, confirm **Jones'** prior felony conviction.. On October 19, 2004, **Jones** was convicted of Auto Theft, Resisting Law Enforcement, and Possession of Cocaine in Cause No. 10D02-0311-FA-548. All three offenses are Class D felonies under Indiana law and, thus, punishable by imprisonment for a term exceeding one year. The court imposed a sentence of three years' incarceration with one year suspended. The court also imposed conditions of probation. There is an active summons for a probation violation.

During a hearing held today, Magistrate Judge Dave Whalin ordered **Jones** detained in the custody of the United States Marshals Service pending a full detention hearing on December 7, 2006, at 2:00 p.m. in Louisville, Kentucky.

If convicted, **Jones** potential penalties of 20 years' imprisonment, a \$500,000.00 fine, and supervised release for a period of at least three years. **There is no parole in the federal judicial system.**

Assistant United States Attorney Jo E. Lawless is prosecuting the case. The Bureau of Alcohol, Tobacco, Firearms & Explosives in conjunction with the Louisville Metro Police Department conducted the investigation.

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A criminal Complaint is an accusation only and that person is presumed innocent until and unless proven guilty.

**- END -**

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